

IN THE SUPREME COURT OF THE STATE OF ARIZONA
ADMINISTRATIVE OFFICE OF THE COURTS

In the Matter of:)	
)	
MODIFICATION OF)	Administrative Directive
GARNISHMENT FORMS)	No. 2017 - <u>02</u>
)	
)	

Administrative Order No. 2007-56 authorizes the Administrative Director of the Administrative Office of the Courts (AOC) to approve or modify the garnishment forms in response to changes in state or federal laws or procedures, and make other necessary administrative amendments or corrections.

Consistent with the Chief Justice's initiatives to ensure that court forms and information are easily understandable for self-represented litigants, amendments are made to the following garnishment forms and related instructions, which are also attached:

Request for Hearing on Garnishment (Earnings) established by A.R.S. §12-1598.16(C) (Form 8) and instructions;
Request for Hearing on Garnishment (Earnings) established by A.R.S. §12-1598.16(F) (Form 11) and instructions;
Process Check List for the Judgment Creditor in a Garnishment of Earnings;
Notice to Judgment Debtor of Garnishment (Non-Earnings) established by A.R.S. §12-1596(C) (Form 7) and instructions; and
Request for Hearing on Garnishment (Non-Earnings) established by A.R.S. §12-1596(C) (Form 8) and instructions.

The new language was reviewed and approved by the Committee on Limited Jurisdiction Courts, the Committee on Superior Court, commissioners of the Superior Court in Maricopa County, and select members of the creditor bar. Therefore,

IT IS DIRECTED that effective January 1, 2018, the Request for Hearing on Garnishment (Earnings) Form 8 and Form 11; Process Check List for the Judgment Creditor in a Garnishment of Earnings; Notice to Judgment Debtor of Garnishment (Non-Earnings) Form 7, and Request for Hearing (Non-Earnings) Form 8 and the related instructions shall be replaced by the versions in Attachment A of this Directive.

Dated this 31st day of October, 2017.

DAVID K. BYERS
Administrative Director of the Courts

ATTACHMENT A

(1) Person Filing: _____
Mailing Address: _____
City, State, Zip Code: _____
Telephone Number(s): _____
Email Address: _____
Representing: ☐ Self ☐ Attorney ☐ Other
State Bar No. (if applicable): _____

(2) ☐ JUSTICE COURT _____, COUNTY OF _____
(3) ☐ MUNICIPAL COURT _____, COUNTY OF _____
(4) ☐ ARIZONA SUPERIOR COURT, COUNTY OF _____

(5) Petitioner/Plaintiff
☐ Judgment Creditor ☐ Judgment Debtor
Name: _____
Address: _____
City, State, Zip Code: _____
Phone(s): _____

(8) Case No.: _____

**REQUEST FOR HEARING ON
GARNISHMENT (EARNINGS)
(A.R.S. § 12-1598.16(C))**

(6) Respondent/Defendant
☐ Judgment Debtor ☐ Judgment Creditor
Name: _____
Address: _____
City, State, Zip Code: _____
Phone(s): _____

(7) Garnishee:
Name: _____
Address: _____
City, State, Zip Code: _____
Phone(s): _____
Attorney: _____

ATTENTION: DEFENDANT A/K/A JUDGMENT DEBTOR: YOU WILL NOT BE ABLE TO CHALLENGE THE FACTUAL BASIS FOR THE JUDGMENT AT THE GARNISHMENT HEARING. For example, if you believe that the evidence was insufficient, or if you believe that the service was not done correctly, then you should file an appropriate motion with the Court that entered the judgment. (ARCP Rule 60 and JCRP Rule 141)

I am the judgment debtor (Defendant) or I represent the judgment debtor in this action. I want a hearing on the garnishment of earnings from this garnishee because:

Case No.: _____

(9) Check all that apply.

- ☐ The amount being withheld from my pay is causing an extreme financial hardship for me or my family.

Attention Judgment Creditor: If Judgment Debtor has requested a hearing on the Garnishment (Earnings) on the claim of financial hardship AND if Judgment Creditor has no objection to a reduction to 15% of the non-exempt disposable earnings, which is the minimum garnishment permitted by A.R.S. § 12-1598.10(F), please provide a revised proposed form of Order of Continuing Lien at the 15% rate and the Court will vacate the hearing.

- ☐ The judgment creditor does not have a valid judgment against me because (A) _____
- ☐ The judgment has been paid in full.
- ☐ On my normal payday, I received no earnings (paycheck).
- ☐ I did not get a copy of the nonexempt earnings statement with my paycheck.
- ☐ My employer did not deliver to me, within 15 days of when my employer was served with the Writ of Garnishment, one or more of the following documents:
- ☐ Notice to Judgment Debtor
 - ☐ Garnishee's Answer
 - ☐ Request for Hearing
- ☐ My debt to this judgment creditor is subject to a qualified debt scheduling agreement with:
(If you checked this box, enter the name of the debt counseling organization that set up your debt scheduling agreement.)
- (B) _____

(10)

I provided a copy of this request to Judgment Creditor on:
Date: _____
By: <input type="checkbox"/> Mail
<input type="checkbox"/> Hand delivery

(11)

I provided a copy of this request to Garnishee (my employer) on:
Date: _____
By: <input type="checkbox"/> Mail
<input type="checkbox"/> Hand delivery

(12)

I provided a copy of this request to the Judge/Commissioner on:
Date: _____
By: <input type="checkbox"/> Mail
<input type="checkbox"/> Hand delivery

The Court can call me at (13) _____ (phone) between 8 a.m. and 5 p.m. regarding the hearing, if necessary.

(14) _____
(Date)

Judgment Debtor or Authorized Agent

WARNING TO JUDGMENT DEBTOR: To request a hearing, this document, or one similar, must be received by the Court within 10 business days after you receive Garnishee's Answer, unless you show good reason for the delay.

INSTRUCTIONS
FORM 8
REQUEST FOR HEARING ON GARNISHMENT (EARNINGS) (A.R.S. § 12-1598.16(C))

WARNING !

ALL PARTIES TO A GARNISHMENT ARE STRONGLY URGED TO OBTAIN LEGAL ADVICE FROM AN ATTORNEY. Garnishment procedures are governed by Arizona law and are extremely complicated. All parties involved must follow these laws and procedures correctly. The Court may issue an order for monetary penalties against any party who does not proceed properly, including the judgment debtor.

USE FORM 8 IF:

- You are a judgment debtor or you represent a judgment debtor.
- You wish to request a hearing on garnishment for one of the reasons listed on FORM 8.

TO COMPLETE FORM 8 YOU WILL NEED:

- Information on the Writ of Garnishment and Summons (Earnings).

HOW TO COMPLETE FORM 8:

TYPE OR PRINT NEATLY USING **BLACK INK**. Match each numbered item in the instructions with the same numbered item on the Request for Hearing on Garnishment (Earnings).

- (1) Type or print the name, mailing address and phone number(s) of the person filing this form. If you are representing yourself in this matter, check the box before "Self."

If you are representing a judgment debtor but you are not an attorney and you are permitted by law to do so, check the box before "Other." A party to a garnishment may represent him/herself or be represented by an attorney. A **power of attorney** does not give the person a right to represent another party in a garnishment. In Justice Courts only, a corporation may be represented either by an attorney or by a duly authorized officer of the corporation (if the officer's primary duties are other than representing the corporation in Court); a partnership may be represented by an attorney or one or more partners.

*Lines 2 through 8 are known as the **caption**. You must complete this portion if not already filled in.*

- (2), (3) & (4) Check the appropriate box that identifies the Court in which you are filing this Request for Hearing, which will be the same Court in which the other documents for this garnishment have previously been filed.

- (2) If you checked this box, type or print the name of the Justice Court precinct in which you are filing this Request for Hearing and the name of the county in which the Court is located.
- (3) If you checked this box, type or print the name of the city or town in which you are filing this Request for Hearing and the name of the county in which the Court is located.
- (4) If you checked this box, type or print the name of the county in which the Court is located.

- (5) Type or print the petitioner/plaintiff's name as it appears on the Writ, mailing address and phone number(s). Check the box indicating whether this party is the judgment creditor or judgment debtor, as shown on the Writ.
- (6) Type or print the respondent/defendant's name as it appears on the Writ, mailing address and phone number(s). Check the box indicating whether this party is the judgment debtor or judgment creditor, as shown on the Writ.
- (7) Type or print the garnishee's name as it appears on the Writ, mailing address, phone number(s) and attorney (if known).
- (8) Type or print the case number appearing on the Writ.
- (9) Check all boxes that apply.

ATTENTION: You will not be able to challenge or re-litigate the judgment at the garnishment hearing. For example, if you believe that the evidence was insufficient, or if you believe that the service was not done correctly, then you should file an appropriate motion with the Court that entered the judgment. (Arizona Rules of Civil Procedure, Rule 60 and Justice Court Rules of Procedure, Rule 141)

- (A) If you checked this box, type or print the reason you believe that the judgment creditor does not have a valid judgment against you. Attach additional sheets if necessary.
- (B) If you checked this box, type or print the name of the debt counseling organization that set up your debt scheduling agreement.
- (10) Complete the information under this box indicating the date and manner in which you will provide a copy of your Request for Hearing to the judgment creditor.
- (11) Complete the information under this box indicating the date and manner in which you will provide a copy of your Request for Hearing to the garnishee.
- (12) Complete the information under this box indicating the date and manner in which you will provide a copy of your Request for Hearing to the judicial officers who is assigned to your case.
- (13) The court may need to contact you regarding your hearing. Provide a phone number where you can be contacted between 8 a.m. and 5 p.m.
- (14) Date and sign the Request for Hearing form.

WHEN YOU HAVE COMPLETED FORM 8:

- ✓ File this form with the Clerk's filing counter along with a Notice of Hearing on Garnishment (Earnings) (FORM 9).
- ✓ At the same time, you must mail or deliver a copy of the Request for Hearing (FORM 8) to the judgment creditor and the garnishee.

(1) Person Filing: _____
Mailing Address: _____
City, State, Zip Code: _____
Telephone Numbers(s): _____
Email Address: _____
Representing: ☐ Self ☐ Attorney ☐ Other
State Bar No. (if applicable): _____

(2) ☐ JUSTICE COURT _____, COUNTY OF _____
(3) ☐ MUNICIPAL COURT _____, COUNTY OF _____
(4) ☐ ARIZONA SUPERIOR COURT, COUNTY OF _____

(5) Petitioner/Plaintiff
☐ Judgment Creditor ☐ Judgment Debtor
Name: _____
Address: _____
City, State, Zip Code: _____
Phone(s): _____

(8) Case No.: _____

(6) Respondent/Defendant
☐ Judgment Debtor ☐ Judgment Creditor
Name: _____
Address: _____
City, State, Zip Code: _____
Phone(s): _____

**REQUEST FOR
HEARING ON GARNISHMENT
(EARNINGS)
(A.R.S. § 12-1598.16(F))**

(7) Garnishee:
Name: _____
Address: _____
City, State, Zip Code: _____
Phone(s): _____
Attorney: _____

ATTENTION: DEFENDANT A/K/A JUDGMENT DEBTOR: YOU WILL NOT BE ABLE TO CHALLENGE THE FACTUAL BASIS FOR THE JUDGMENT AT THE GARNISHMENT HEARING. For example, if you believe that the evidence was insufficient, or if you believe that the service was not done correctly, then you should file an appropriate motion with the Court that entered the judgment. (ARCP Rule 60 and JCRP Rule 141)

(8) Case No.: _____

I am the judgment debtor (Defendant) or I represent the judgment debtor in this action. I want a hearing on this garnishment because:

(9) *Check all that apply*

☐ The amount being withheld from my pay is causing an extreme financial hardship for me or my family.

Attention Judgment Creditor: If Judgment Debtor has requested a hearing on the Garnishment (Earnings) on the claim of financial hardship AND if Judgment Creditor has no objection to a reduction to 15% of the non-exempt disposable earnings, which is the minimum garnishment permitted by A.R.S. § 12-1598.10(F), please provide a revised proposed form of Order of Continuing Lien at the 15% rate and the Court will vacate the hearing.

☐ The amount claimed in the Writ of Garnishment is incorrect.

☐ The judgment creditor does not have a valid judgment against me because this garnishment has been filed against the wrong person or because (A) _____

☐ The judgment has been paid in full.

☐ On my normal payday, I received no earnings (paycheck).

☐ I did not get a copy of the nonexempt earnings statement with my paycheck.

☐ My employer did not deliver to me, within 15 days of when my employer was served with the Writ of Garnishment, one or more of the following documents:

- Notice to Judgment Debtor
- Garnishee's Answer
- Request for Hearing

☐ My debt to this judgment creditor (Plaintiff) is subject to a qualified debt scheduling agreement:
(If you checked this box, enter the name of the debt counseling organization that set up your debt scheduling agreement.)

(B) _____

☐ Other: (C) _____

(10)

I provided a copy of this request to Judgment Creditor on:
Date: _____
By: <input type="checkbox"/> Mail <input type="checkbox"/> Hand delivery

(11)

I provided a copy of this request to Garnishee (my employer) on:
Date: _____
By: <input type="checkbox"/> Mail <input type="checkbox"/> Hand delivery

(12)

I provided a copy of this request to the judicial officer on:
Date: _____
By: <input type="checkbox"/> Mail <input type="checkbox"/> Hand delivery

(8) Case No.: _____

The Court can call me at (13) _____ (phone) between 8 a.m. and 5 p.m. regarding the hearing, if necessary.

(14) _____
Date

Judgment Debtor or Authorized Agent

WARNING TO JUDGMENT DEBTOR: To request a hearing, this document, or one similar, must be received by the Court within 10 business days after you receive Garnishee's Answer, unless you show good reason for the delay.

INSTRUCTIONS
FORM 11
REQUEST FOR HEARING ON GARNISHMENT (EARNINGS) (A.R.S. § 12-1598.16(F))

WARNING!

ALL PARTIES TO A GARNISHMENT ARE STRONGLY URGED TO OBTAIN LEGAL ADVICE FROM AN ATTORNEY. Garnishment procedures are governed by Arizona law and are extremely complicated. All parties involved must follow these laws and procedures correctly. The Court may issue an order for monetary penalties against any party who does not proceed properly.

USE FORM 11 IF:

- You are a judgment debtor or you represent a judgment debtor.
- You wish to request a hearing on garnishment for one of the reasons listed on FORM 11.

TO COMPLETE FORM 11 YOU WILL NEED:

- Information on the Writ of Garnishment and Summons (Earnings).

HOW TO COMPLETE FORM 11:

TYPE OR PRINT NEATLY USING **BLACK INK**. Match each numbered item in the instructions with the same numbered item on the Request for Hearing on Garnishment (Earnings).

- (1) Type or print the name, mailing address, phone number(s), and email address of the person filing this form. If you are representing yourself in this matter, check the box before "Self."

If you are representing a judgment debtor but you are not an attorney and you are permitted by law to do so, check the box before "Other." A party to a garnishment may represent him/herself or be represented by an attorney. A **power of attorney** does not give the person a right to represent another party in a garnishment. In Justice Courts only, a corporation may be represented either by an attorney or by a duly authorized officer of the corporation (if the officer's primary duties are other than representing the corporation in Court); a partnership may be represented by an attorney or one or more partners.

*Lines 2 through 8 are known as the **caption**. You must complete this portion if not already filled in.*

- (2), (3) & (4) Check the appropriate box that identifies the Court in which you are filing this Request for Hearing, which will be the same Court in which the other documents for this garnishment have previously been filed.

- (2) If you checked this box, type or print the name of the Justice Court precinct in which you are filing this Request for Hearing and the name of the county in which the Court is located.
- (3) If you checked this box, type or print the name of the city or town in which you are filing this Request for Hearing and the name of the county in which the Court is located.
- (4) If you checked this box, type or print the name of the county in which the Court is located.

- (5) Type or print the petitioner/plaintiff's name as it appears on the Writ, mailing address and phone number(s). Check the box indicating whether this party is the judgment creditor or judgment debtor, as shown on the Writ.
- (6) Type or print the respondent/defendant's name as it appears on the Writ, mailing address and phone number(s). Check the box indicating whether this party is the judgment debtor or judgment creditor, as shown on the Writ.
- (7) Type or print the garnishee's name as it appears on the Writ, mailing address, phone number(s) and attorney (if known).
- (8) Type or print the case number appearing on the Writ.
- (9) Check all boxes that apply.

ATTENTION: You will not be able to challenge or re-litigate the judgment at the garnishment hearing. For example, if you believe that the evidence was insufficient, or if you believe that the service was not done correctly, then you should file an appropriate motion with the Court that entered the judgment. (Arizona Rules of Civil Procedure, Rule 60 and Justice Court Rules of Procedure, Rule 141)

- (A) If you checked this box, type or print your reason for believing that the judgment is not valid.
 - (B) If you checked this box, type or print the other reason you have for objecting to this garnishment.
 - (C) If you checked this box, enter the name of the debt counseling organization that set up your debt scheduling agreement.
- (10) Complete the information under this box indicating the date and manner in which you provided a copy of your Request for Hearing to the judgment creditor.
 - (11) Complete the information under this box indicating the date and manner in which you will provide a copy of your Request for Hearing to the garnishee.
 - (12) Complete the information under this box indicating the date and manner in which you will provide a copy of your Request for Hearing to the judicial officer assigned to your case.
 - (13) The court may need to contact you regarding your hearing. Provide a phone number where you can be contacted between 8 a.m. and 5 p.m.
 - (14) Sign the Request for Hearing form and type or print the date on which you signed this document.

WHEN YOU HAVE COMPLETED THE HEARING REQUEST:

- ✓ File this form with the Clerk's filing counter along with a Notice of Hearing on Garnishment (Earnings) (FORM 9).
- ✓ Immediately after filing, you must mail or deliver a copy of this Request for Hearing (FORM 11) to the judgment creditor, the garnishee, and the judge or commission assigned to your case.

PROCESS CHECK LIST FOR THE JUDGMENT CREDITOR GARNISHMENT OF EARNINGS

WARNING!

ALL PARTIES TO A GARNISHMENT ARE STRONGLY URGED TO OBTAIN LEGAL ADVICE FROM AN ATTORNEY. Garnishment procedures are governed by Arizona law and are extremely complicated. All parties involved must follow these laws and procedures correctly. The Court may issue an order for monetary penalties against any party who does not proceed properly, including the judgment creditor.

INTRODUCTION

This packet is for a judgment creditor who wishes to collect a money judgment from a judgment debtor's "earnings." The term "earnings" refers to compensation payable for work performed by the judgment debtor and not yet paid by the employer (see A.R.S. § 12-1598(4) for further information). Some examples of earnings include wages, salaries, commissions, bonuses, or other compensation. Generally, only 25% of a judgment debtor's disposable earnings may be garnished. If a judgment debtor proves extreme financial hardship, a judicial officer may reduce this percentage to not less than 15% (see A.R.S. §§ 12-1598.10 and 33-1131 for more information).

A judgment debtor's earnings may not be garnished if:

- The judgment debtor's earnings are already being garnished and the statutory maximum has been reached
- The judgment debtor has a pending bankruptcy proceeding
- The money judgment has been discharged in a bankruptcy proceeding
- At the time the writ was served, the debt was subject to an effective agreement for debt scheduling between the judgment debtor and a qualified debt counseling organization
- All available wages are exempt from collection

To begin your garnishment action, read through this Process Check List and all the forms and instructions in the packet. There are separate instructions for each form in this packet. Do not fill in any unnumbered blanks when completing forms.

[] STEP 1: Complete FORMS 1 & 2 and fill out the captions on the other forms needed for your case

Fill out the Application for Writ of Garnishment (FORM 1) and the Writ of Garnishment and Summons (Earnings) (FORM 2). Do not fill in any unnumbered blanks. You must also fill out the caption -- and only the caption -- on FORMS 5, 6, 8, 9, 10, 11, 14, and either FORM 12 or FORM 13, depending on whether the money judgment you are seeking to collect is for support of a person (see STEP 2 for more information about which form to use).

[] STEP 2: Take your forms to the Court for filing

When you have filled out the forms identified in STEP 1, take them to the Court Clerk at the Court in which you are filing your garnishment proceeding. You will need to bring multiple copies of some forms. The following list will help you identify which forms and how many copies of each to bring with you to the Clerk's Office:

- ☐ FORM 1 Application for Writ of Garnishment – original only
- ☐ FORM 2 Writ of Garnishment and Summons (Earnings) – original and 3 copies
- ☐ FORM 5 Instructions to Garnishee (Earnings) – 1 copy
- ☐ FORM 6 Garnishee's Answer (Earnings) – 4 copies
- ☐ FORM 8 Request for Hearing on Garnishment (Earnings) (A.R.S. §12-1598.16(C)) – 2 copies
- ☐ FORM 9 Notice of Hearing on Garnishment (Earnings) – 4 copies
- ☐ FORM 10 Garnishee's Notice to Judgment Debtor of Garnishment (Earnings) – 2 copies
- ☐ FORM 11 Request for Hearing on Garnishment (Earnings) (A.R.S. §12-1598.16(F)) – 2 copies
- ☐ Either FORM 12 or FORM 13 Garnishee's Nonexempt Earnings Statement – 4 copies
 - Use FORM 12 if the underlying debt **is not for** support of a person
 - Use FORM 13 if the underlying debt **is for** support of a person (e.g., child support)
- ☐ FORM 14 Request for Hearing on Nonexempt Earnings Statement – 2 copies
- ☐ The judgment awarding you money against the judgment debtor – 1 copy

☐ STEP 3: Serve the required forms on the garnishee

At the Clerk's Office, the Clerk will file stamp, issue, and return some of your forms to you. Once you have the signed Writ of Garnishment and Summons (Earnings) (FORM 2), you must arrange to serve the garnishee with the following forms, some of which must be provided in multiple copies:

- ☐ FORM 2 signed Writ of Garnishment and Summons (Earnings) – 2 copies
- ☐ FORM 5 Instructions to Garnishee (Earnings) – 2 copies
- ☐ FORM 6 Garnishee's Answer (Earnings) – 4 copies
- ☐ FORM 9 Notice of Hearing on Garnishment (Earnings) – 4 copies
- ☐ FORM 10 Second Notice to Judgment Debtor of Garnishment (Earnings) – 2 copies
- ☐ FORM 11 Request for Hearing on Garnishment (Earnings) (A.R.S. §12-1598.16(F)) – 2 copies
- ☐ Either FORM 12 or FORM 13 Garnishee's Nonexempt Earnings Statement – 4 copies
 - Use FORM 12 if the underlying debt **is not for** support of a person
 - Use FORM 13 if the underlying debt **is for** support of a person (e.g., child support)
- ☐ FORM 14 Request for Hearing on Nonexempt Earnings Statement – 4 copies
- ☐ The judgment awarding you money against the judgment debtor – 1 copy

You will be charged a fee for service of these documents. A private process server, a constable from the Court or a deputy sheriff can serve them for you. You may be able to recover the amount of money you pay to serve these forms at the end of the garnishment process. If you cannot afford to pay the service fee, you may qualify for waiver or deferral of the payment. Private process servers do not accept waivers or deferrals. The Clerk has a form you can complete to request waiver or deferral of service fees. The process server, constable, or deputy sheriff will file a certificate of service, which notifies you and the Court of the date on which the garnishee received the documents listed above.

[] STEP 4: Deliver the following documents to the judgment debtor

Within three business days after the garnishee has been served under STEP 3, you must deliver the following documents to the judgment debtor by either first class mail, personal delivery, process server, constable, or deputy sheriff:

- ☐ FORM 2 Signed Writ of Garnishment and Summons (Earnings) – 1 copy
- ☐ FORM 7 Initial Notice to Judgment Debtor of Garnishment (Earnings) – 1 copy
- ☐ FORM 8 Request for Hearing on Garnishment (Earnings) (A.R.S. §12-1598.16(C)) – 1 copy
- ☐ FORM 9 Notice of Hearing on Garnishment (Earnings) – 1 copy

Make sure to retain copies of all documents filed and/or served on the other parties for yourself.

[] STEP 5: File with the Court a certification of service on the judgment debtor

A written statement must be filed with the Court Clerk describing how and when the documents listed in Step 4 were delivered or served on the judgment debtor. If a private process server, constable, or deputy sheriff served these documents, that person must file a certification on your behalf. If you delivered these documents by mail or personally delivered them to the judgment debtor, you are responsible for filing the certificate. Use FORM 21, Certificate of Service, for this purpose.

[] STEP 6: Wait for garnishee to file an Answer

The garnishee is to complete a Garnishee's Answer (FORM 6) and file it with the Court Clerk within 10 business days, beginning with the first business day after service on the garnishee. Do not take any further steps until this time period has passed or until you receive a copy of the Garnishee's Answer, whichever occurs first. If the time period has expired and you still have not received a copy of the Answer from the garnishee, contact the Court to see if an Answer has been filed.

[] STEP 7: What to do if the garnishee does not file an Answer

If the garnishee does not file a Garnishee's Answer within the 10-day response time, then complete and file a Petition and Order to Show Cause Regarding Garnishee's Default (FORMS 17 & 18). The Court will then order the garnishee to appear for a hearing and explain why no Answer was filed. The Petition and Order to

Show Cause must be served on the garnishee in the same manner as in STEP 3. At the hearing, the Judge may order the garnishee to pay the judgment creditor any portion of the total amount owed by the judgment debtor.

[] STEP 8: If the garnishee files an Answer

The information provided in the Garnishee's Answer will determine whether your case can proceed to a garnishment of the judgment debtor's earnings.

- (A) The garnishee is entitled to be released, if the Garnishee's Answer states that the garnishee:
- Did not employ the judgment debtor at the time the writ was served
 - Would not owe earnings to the judgment debtor within 60 days after service of the writ on the garnishee
 - Was unable to determine the identity of the judgment debtor after making a good faith effort to do so

If you object to the Answer, file a Request for Hearing (*see* FORM 16) to have your objection resolved by the Court. If the garnishee is entitled to be released, the Court may order you to pay for the garnishee's reasonable expenses related to responding to the Writ of Garnishment. Go to STEP 13 for information on releasing the garnishee.

- (B) If the Garnishee's Answer indicates that the garnishee does employ the judgment debtor or will owe the judgment debtor earnings within the next 60 days, you must wait an additional period of time, as specified below, to give the judgment debtor an opportunity to file an objection to the Garnishee's Answer.
- If the Garnishee's Answer was personally delivered to the judgment debtor, the judgment debtor has 10 business days to object.
 - If the Garnishee's Answer was delivered by mail, the judgment debtor has 15 days to object. The Garnishee's Answer should show the method of delivery.

[] STEP 9: Objections

CAUTION: Your Writ of Garnishment will expire 45 days after the Garnishee's Answer is filed, if no objections are filed. If you fail to obtain a signed Order of Continuing Lien before the 45 days runs out, the garnishee will be released and you will have to start the garnishment process over again. You must also deliver a copy of the signed Order of Continuing Lien to the garnishee.

- (A) If no one objects to the Garnishee's Answer, and the appropriate amount of time has passed, promptly file your Application for Order of Continuing Lien (FORM 3) and submit an unsigned Order of Continuing Lien (Garnishment) (FORM 4). You must also deliver a copy of each document to the garnishee and the judgment debtor.
- (B) If an objection is filed, the Court will hold a hearing on the objection within 10 business days after the objection is filed. You must attend the hearing. If the garnishment is not quashed (dismissed) and the Court does not enter an Order of Continuing Lien on your behalf, promptly complete and file your Application for an Order of Continuing Lien and submit an Order of Continuing Lien form (FORMS 3 & 4), before the 45 days expire. Deliver a copy of each document to the garnishee and the judgment debtor.

[] STEP 10: Report money received

It is the obligation of the judgment creditor to take reasonable action to assure that the garnishee does not withhold more nonexempt earnings of the judgment debtor than are necessary to satisfy the underlying judgment. To fulfill this responsibility, you must report to the garnishee and judgment debtor on what you have received and how much of the judgment remains to be paid. Report this information to the garnishee and the judgment debtor on the Creditor's Garnishment Report (Earnings) (FORM 15). You should also keep a copy for your own files. **Do not file this report with the Court.** As long as the Order of Continuing Lien is in effect, you must complete and deliver a new Creditor's Garnishment Report (Earnings) at each of the following intervals:

- (A) As long as the balance due is greater than \$500, within 21 days after the end of each calendar quarter, in other words –
- For the quarter ending March 31, no later than April 21
 - For the quarter ending June 30, no later than July 21
 - For the quarter ending September 30, no later than October 21
 - For the quarter ending December 30, no later than January 21
- (B) As long as the balance due is less than \$500, before the 10th day of each month.
- (C) The first time the balance due is less than double the sum received in the last two pay periods. To know when you have reached this point, each time you receive a Nonexempt Earnings Statement --
- Add the amount of money you received with that particular statement (this figure may be \$0) with the amount of money you received with the prior statement.
 - Multiply this sum by 2 and compare the total with the balance due.
 - If the total is more than the balance due, you must provide written notice to the garnishee and the judgment debtor. You may use the Creditor's Garnishment Report (Earnings) (FORM 15) for this purpose.

Failure to comply with your reporting obligations may result in the Court issuing an order for monetary penalties against you.

[] STEP 11: Release the garnishee

Once you have been paid in full, it is your responsibility to file the Petition and Order Discharging Garnishee (FORMS 19 & 20) with the Court Clerk. You must deliver a copy of these completed forms to the garnishee, the judgment debtor and any creditors who have asked you to notify them. You also need to file this form if you learn that the judgment debtor is no longer working for the garnishee or if the Garnishee's Answer states that no earnings are owed to the judgment debtor and you did not file an objection (see STEP 8).

[] STEP 12: File a satisfaction of judgment

Once the judgment has been paid in full, you are responsible for filing a Satisfaction of Judgment (FORM 22). You must deliver a copy to the garnishee, the judgment debtor and any creditors who have asked you to notify them.

WHAT COULD AFFECT YOUR REQUEST FOR A WAGE GARNISHMENT

Grounds for termination or expiration of the Order of Continuing Lien

As long as the Order of Continuing Lien is in effect, the garnishee should continue to withhold the ordered amount of the judgment debtor's wages and send it to you. However, any of the following events can cause this Order to terminate, at which point so will the garnishee's payments to you.

- The Court quashes (stops) the garnishment
- The debtor leaves the garnishee's employ for more than 60 days
- The debtor does not earn enough money to permit withholding by the employer for at least 60 days
- The underlying judgment is paid in full, is vacated or expires
- The garnishment proceedings are stayed by a court such as the U.S. Bankruptcy Court

If the judgment debtor is a public employee

If your judgment debtor is employed by the state, a county, a city or town or some other political subdivision of the state, including a state university, then special rules contained in A.R.S. §§ 12-1601 through -1604 apply to your case. Special rules and procedures may be required to garnish wages of federal employees. For information relating to military personnel and the Service Members' Civil Relief Act (formerly known as the Soldiers' and Sailors' Civil Relief Act), consult an attorney.

The judgment debtor may object to wage garnishment

The judgment debtor may object to statements in the Application for Writ of Garnishment, the Garnishee's Answer, or any Garnishee's Nonexempt Earnings Statement. The judgment debtor may argue that the underlying judgment has been paid in full, or the judgment debtor might object to statements made in the Garnishee's Answer or Nonexempt Earnings Statement about the amount of wages being paid. Other common objections are lack of notice, extreme financial hardship, lack of jurisdiction, lack of responsibility for the debt or garnishment of exempt earnings.

- If judgment debtor has requested a hearing on the Garnishment (Earnings) on the claim of financial hardship AND if Judgment Creditor has no objection to a reduction to 15% of the non-exempt disposable earnings, which is the minimum garnishment permitted by A.R.S. § 12-1598.10(F), file a Consent to Judgment Debtor's Hardship, and to Reduce Garnishment to 15% (suggested form is available online at: <http://www.azcourts.gov/selfservicecenter/Self-Service-Forms/Garnishment-of-Earnings>) and a revised proposed form of Order of Continuing Lien (Form 4) at the 15% rate and the Court will vacate the hearing.
- If consent for reduction was not filed and the judgment debtor proves to the Court that the proposed garnishment of wages will cause the judgment debtor or the judgment debtor's family to suffer extreme financial hardship, the Court has authority to reduce the amount of wages being withheld from the judgment debtor by the garnishee from 25% to not less than 15% of the judgment debtor's "disposable earnings" (see A.R.S. § 12-1598.10(F) for more information).

You may object

You may file an objection with the Court disputing statements in the Garnishee's Answer (see STEP 8), a Nonexempt Earnings Statement or other document filed in this case, or if the garnishee fails to turn over earnings to you. As a general rule, you must file your objection within 10 business days after you receive the document to which you are objecting. Use FORM 16 for this purpose. The Court should hold a hearing on any objection and request for hearing within 10 business days after the objection is filed.

- ☐ **These forms are guides only and are not intended to be legal advice.**
- ☐ **These forms are not tailored for every fact situation.**
- ☐ **While not mandatory, parties should have all documents reviewed by an attorney who specializes in post - judgment proceedings.**

(1) Person Filing: _____
Mailing Address: _____
City, State, Zip Code: _____
Telephone Number(s): _____
Email Address: _____
Representing: ☐ Self ☐ Attorney ☐ Other
State Bar No. (if applicable): _____

(2) ☐ JUSTICE COURT _____, COUNTY OF _____
(3) ☐ MUNICIPAL COURT _____, COUNTY OF _____
(4) ☐ ARIZONA SUPERIOR COURT, COUNTY OF _____

(5) Petitioner/Plaintiff
☐ Judgment Creditor ☐ Judgment Debtor
Name: _____
Address: _____
City, State, Zip Code: _____
Phone(s): _____

(8) Case No.: _____

**NOTICE TO JUDGMENT
DEBTOR OF GARNISHMENT
(NON-EARNINGS)**

(6) Respondent/Defendant
☐ Judgment Debtor ☐ Judgment Creditor
Name: _____
Address: _____
City, State, Zip Code: _____
Phone(s): _____

(7) Garnishee
Name: _____
Address: _____
City, State, Zip Code: _____
Phone(s): _____
Attorney: _____

El tribunal ha expedido una orden que obliga a la persona o entidad contra la cual se decretó un embargo que le entregue el dinero o bien que le debe a usted al acreedor por adeudo debido a la sentencia que este último tiene en contra de usted. En algunas circunstancias, la ley no permite quitarle a usted su dinero o sus bienes, lo cual se explica en la notificación. Se puede conseguir una traducción al español de dicha notificación del tribunal.

NOTICE TO JUDGMENT DEBTOR OR DEFENDANT

You are hereby notified that this Court has issued an order in the above case in favor of the judgment creditor in this proceeding, directing that some of your money, property or corporate shares or interest be

used to satisfy some of your debt to the judgment creditor. The order was issued to enforce the judgment creditor's judgment, support order or provisional remedy order against you that was obtained:

(9) Name of Court: _____

(10) Date of Judgment or Order) _____

A copy of the judgment or order is attached.

The law provides that monies from certain benefits or in certain amounts are free from the claims of creditors even if deposited in a bank, savings and loan association or credit union. Some examples of exempt monies appear later in this notice. The law also provides that certain personal property is exempt from the claims of creditors. Some examples of exempt property appear later in this notice.

The creditor named above says you haven't paid what you owe on the attached judgment or order. At the creditor's request, this Court issued a Writ of Garnishment (attached) to the garnishee named above. The writ says that some of your money or property now held by the garnishee will be withheld and may be turned over to the creditor to satisfy your debt.

Within ten days after being served with the Writ of Garnishment the garnishee who is holding your money or personal property is required to mail or deliver to you his answer stating what money or personal property he is withholding from you for the judgment creditor pursuant to the Writ.

You may object to the garnishment or file a claim of exemption by requesting a hearing with this Court, if you believe any of the following is true:

1. The judgment creditor does not have a valid provisional remedy order or support order or judgment against you or that the debt or judgment has been paid in full.
2. Some or all of the monies that are being withheld by the garnishee may be exempt monies. The following are examples that *may* be exempt monies:
 - (a) Three hundred dollars in a bank, savings and loan association or credit union account. (Six hundred dollars for married account holders.)
 - (b) Temporary assistance for needy families.
 - (c) Supplemental security income (SSI).
 - (d) Social security benefits (SSA).
 - (e) United States department of veterans affairs benefits. (VA).
 - (f) Certain pension benefits and retirement funds.
 - (g) Workers' compensation benefits.
 - (h) Some insurance proceeds.

Other state and federal exemptions may apply. Certain exemptions may not apply to support orders or to the collection of taxes. An attorney can assist you in determining what monies are exempt.

Some or all of the personal property being withheld by the garnishee may be exempt property. Examples of exempt personal property are:

- (a) Household goods, furniture, and appliances.
- (b) Up to \$6,000 equity value for each owner of a car or truck. (\$12,000 equity value if the owner is physically disabled).
- (c) Wearing apparel, musical instruments, televisions or stereos and other personal items.
- (d) Tools and equipment used in a commercial activity, trade, business, or profession.

These exemptions are limited in statute by description and dollar value. An attorney can assist you in determining what personal property is exempt. A comprehensive listing of exemptions is available from the website for the U.S. Bankruptcy Court for the District of Arizona:
http://www.azb.uscourts.gov/Documents/arizona_exemptions.pdf

- 3. More than fifteen days have passed since the garnishee was served with the Writ and you have not yet received the Garnishee's Answer.
- 4. You otherwise disagree with the Answer of the garnishee. To request a hearing, deliver the request for hearing form enclosed, or a substantially similar form to the Court Clerk's office. At the same time, you must mail or deliver a copy (photocopy or handwritten copy) of the request for hearing to the judgment creditor and the garnishee at the address stated in the Writ. If you do not deliver the request for hearing form to this Court within ten days after the date you receive the Answer of garnishee, your request for hearing will be denied, unless a good reason for the delay, acceptable to the Court, is shown.

If you request a hearing it will be held no later than five days, not including weekends and holidays, after your request is received by the Court. If appropriate, you may request a hearing before the garnishee files his Answer.

The Court will notify you and the other parties of the time and date of the hearing. You may attend the hearing with or without an attorney.

WARNING: If you want a hearing, the Court must receive the hearing request form within ten (10) days after you get Garnishee's Answer. If you don't get the request in on time, you won't get a hearing unless there is a very good reason why you're late.

INSTRUCTIONS
FORM 7
NOTICE TO JUDGMENT DEBTOR OF GARNISHMENT (NON-EARNINGS)

WARNING !

ALL PARTIES TO A GARNISHMENT ARE STRONGLY URGED TO OBTAIN LEGAL ADVICE FROM AN ATTORNEY. Garnishment procedures are governed by Arizona law and are extremely complicated. All parties involved must follow these laws and procedures correctly. The Court may issue an order for monetary penalties against any party who does not proceed properly, including the judgment creditor.

USE FORM 7 IF:

- You are a judgment creditor or you represent a judgment creditor
- You are seeking to collect a money judgment from a third party who holds personal property or money, other than wages, belonging to the judgment debtor.
- You have obtained a Writ of Garnishment and Summons from the Court.

TO COMPLETE FORM 7 YOU WILL NEED:

- Information on the Writ of Garnishment and Summons (Non-Earnings) which you obtained from the Court.
- Information on the judgment or order you are seeking to collect.

HOW TO COMPLETE FORM 7:

TYPE OR PRINT NEATLY USING **BLACK INK**. Match each numbered item in the instructions with the same numbered item on the Notice to Judgment Debtor of Garnishment (Non-Earnings).

- (1) Type or print the name, mailing address, telephone number(s) and email address of the person filing this form. If you are representing yourself in this matter, check the box before "Self."

Check the box before "Other" if you represent a judgment creditor but you are not an attorney and you are permitted by law to do so. A party to a garnishment may represent him/herself or be represented by an attorney. A **power of attorney** does not give the person a right to represent another party in a lawsuit. In Justice Courts only, a corporation may be represented not only by an attorney but also by a duly authorized officer of the corporation (if the officer's primary duties are other than representing the corporation in Court). A partnership may be represented by an attorney or one or more partners.

*Lines 2 through 8 are known as the **caption**. You must complete this portion if not already filled in.*

(2), (3) or (4) Check the appropriate box that identifies the Court in which you filed the garnishment.

- (2) If you checked this box, type or print the name of the Justice Court precinct in which you filed the garnishment and the name of the county in which the Court is located.
- (3) If you checked this box, type or print the name of the city or town in which you filed the garnishment and the name of the county in which the Court is located.
- (4) If you checked this box, type or print the name of the county in which the Court is located.

- (5) Type or print the name, mailing address and, if known the phone number(s) of the petitioner/plaintiff on the judgment or order you are seeking to collect. Check the box to indicate whether this party is the judgment creditor or judgment debtor in this garnishment action.
- (6) Type or print the name, mailing address and, if known, phone number(s) of the respondent/defendant on the judgment or order you are seeking to collect. Check the box to indicate whether this party is the judgment debtor or judgment creditor in this garnishment action.
- (7) Type or print the name, mailing address and, if known, phone number(s) of the person or company (garnishee) that is holding personal property or money other than wages belonging to the judgment debtor that you are seeking to collect in this lawsuit. Include the name of the person's attorney, if known.
- (8) Type or print the case number assigned by the Court to this garnishment action.
- (9) Type or print the name of the Court that issued the judgment or order you are seeking to collect.
- (10) Type or print the date the judge signed the judgment or order you are seeking to collect.

WHEN YOU HAVE COMPLETED THE NOTICE TO JUDGMENT DEBTOR (NON-EARNINGS):

Once you have received the Writ of Garnishment and Summons from the Court, you must promptly deliver *to the garnishee* the following forms and/or documents, some of which are to be filled out by you:

- Two copies of this Notice to Judgment Debtor
- Two copies of the Writ of Garnishment and Summons signed by the Court
- One copy of the Instructions to Garnishee provided for by A.R.S. §12-1596.
- Four copies of a Garnishee's Answer (FORM 4) (to be filled out by the garnishee)
- Two copies of a Request for Hearing on Garnishment (Non-Earnings) (FORM 8)
- Two copies of a Notice of Hearing on Garnishment (Non-Earnings) (FORM 9) (to be filled out by the judgment debtor)
- One copy of the original judgment or order you are seeking to collect.

Follow the other steps on the Process Checklist.

(1) Person Filing: _____
Mailing Address: _____
City, State, Zip Code: _____
Telephone Number(s): _____
Email Address: _____
Representing: ☐ Self ☐ Attorney ☐ Other
State Bar No. (if applicable): _____

(2) ☐ JUSTICE COURT _____, COUNTY OF _____
(3) ☐ MUNICIPAL COURT _____, COUNTY OF _____
(4) ☐ ARIZONA SUPERIOR COURT, COUNTY OF _____

(5) Petitioner/Plaintiff
☐ Judgment Creditor ☐ Judgment Debtor
Name: _____
Address: _____
City, State, Zip Code: _____
Phone(s): _____

(8) Case No.: _____

**REQUEST FOR HEARING
ON GARNISHMENT
(NON-EARNINGS)**

(6) Respondent/Defendant
☐ Judgment Debtor ☐ Judgment Creditor
Name: _____
Address: _____
City, State, Zip Code: _____
Phone(s): _____

(7) Garnishee
Name: _____
Address: _____
City, State, Zip Code: _____
Phone(s): _____
Attorney: _____

El tribunal ha expedido una orden que obliga a la persona o entidad contra la cual se decretó un embargo que le entregue el dinero o bien que le debe a usted al acreedor por adeudo debido a la sentencia que este último tiene en contra de usted. En algunas circunstancias, la ley no permite quitarle a usted su dinero o sus bienes, lo cual se explica en la notificación. Se puede conseguir una traducción al español de dicha notificación del tribunal.

ATTENTION: DEFENDANT A/K/A JUDGMENT DEBTOR: YOU WILL NOT BE ABLE TO CHALLENGE THE FACTUAL BASIS FOR THE JUDGMENT AT THE GARNISHMENT HEARING. For example, if you believe that the evidence was insufficient, or if you believe that the service was not done correctly, then you should file an appropriate motion with the Court that entered the judgment. (ARCP Rule 60 and JCRP Rule 141)

Case No. (8) _____

I am the judgment debtor or I represent the judgment debtor in this action. I want a hearing on this garnishment because:

(9) (Check all that apply)

- ☐ Creditor doesn't have a valid judgment against me because (A) _____
- ☐ The judgment has been paid.
- ☐ Exempt money is being garnished:
- ☐ \$300 (\$600/married) in a bank, savings and loan or credit union.
 - ☐ Temporary assistance for needy families, social security, supplemental security income or United States department of veterans affairs benefits.
 - ☐ Other pension or retirement benefits.
 - ☐ Workers' compensation or other insurance benefits.
 - ☐ (B) Other: _____
- ☐ Exempt personal property is being garnished:
- ☐ Household goods, furnishings or appliances.
 - ☐ Motor vehicle equity worth up to \$6,000 (\$12,000, if owner is physically disabled).
 - ☐ Personal items.
 - ☐ Tools and equipment of a trade.
 - ☐ (C) Other: _____
- ☐ Garnishee's Answer is not correct because (D) _____
- ☐ No answer was received within 15 days.
- ☐ (E) Other: _____

(10)

Copy provided to judgment creditor on:
Date: _____
By: <input type="checkbox"/> Mail <input type="checkbox"/> Hand delivery

(11)

Copy provided to garnishee on:
Date: _____
By: <input type="checkbox"/> Mail <input type="checkbox"/> Hand delivery

(12)

Copy provided to judicial officer on:
Date: _____
By: <input type="checkbox"/> Mail <input type="checkbox"/> Hand delivery

The Court can call me at (13) _____ (phone) between 8 a.m. and 5 p.m. regarding the hearing, if necessary.

(14) _____

Date

Judgment Debtor or Authorized Agent

WARNING: To request a hearing, this document, or one similar, must be received by the Court within 10 business days after your receipt of the Garnishee's Answer unless good reason for the delay is shown.

INSTRUCTIONS
FORM 8
REQUEST FOR HEARING ON GARNISHMENT (NON-EARNINGS)

WARNING!

ALL PARTIES TO A GARNISHMENT ARE STRONGLY URGED TO OBTAIN LEGAL ADVICE FROM AN ATTORNEY. Garnishment procedures are governed by Arizona law and are extremely complicated. All parties involved must follow these laws and procedures correctly. The Court may issue an order for monetary penalties against any party who does not proceed properly, including the judgment creditor.

USE FORM 8 IF:

- You are a judgment debtor or you represent a judgment debtor.
- You wish to request a hearing for one of the reasons listed on FORM 8.

TO COMPLETE FORM 8 YOU WILL NEED:

- Information on the Writ of Garnishment and Summons (Non-Earnings).
- Information on the Garnishee's Answer.

HOW TO COMPLETE FORM 8:

TYPE OR PRINT NEATLY USING **BLACK INK**. Match each numbered item in the instructions with the same numbered item on the Request for Hearing on Garnishment (Non-Earnings).

- (1) Type or print the name, mailing address, telephone number(s), and email address of the person filing this form. If you are representing yourself in this matter, check the box before "Self."

Check the box before "Other" if you represent a judgment debtor but you are not an attorney and you are permitted by law to do so. A party to a garnishment may represent him/herself or be represented by an attorney. A **power of attorney** does not give the person a right to represent another party in a lawsuit. In Justice Courts only, a corporation may be represented not only by an attorney but also by a duly authorized officer of the corporation (if the officer's primary duties are other than representing the corporation in Court). A partnership may be represented by an attorney or one or more partners.

*Lines 2 through 8 are known as the **caption**. You must complete this portion if not already filled in.*

- (2), (3) & (4) Check the appropriate box that identifies the Court in which you are filing this Request for Hearing, which will be the same Court in which the other documents for this garnishment have previously been filed.

- (2) If you checked this box, type or print the name of the Justice Court precinct in which you are filing this Request for Hearing and the name of the county in which the Court is located.
- (3) If you checked this box, type or print the name of the city or town in which you are filing this Request for Hearing and the name of the county in which the Court is located.
- (4) If you checked this box, type or print the name of the county in which the Court is located.

- (5) Type or print the petitioner/plaintiff's name as it appears on the Writ, mailing address and phone number(s). Check the box indicating whether this party is the judgment creditor or judgment debtor, as shown on the Writ.
- (6) Type or print the respondent/defendant's name as it appears on the Writ, mailing address and phone number(s). Check the box indicating whether this party is the judgment debtor or judgment creditor, as shown on the Writ.
- (7) Type or print the garnishee's name as it appears on the Writ, mailing address, phone number(s), and attorney (if known).
- (8) Type or print the case number appearing on the Writ.
- (9) Check all boxes that apply and fill in the blanks for each box checked.
- (A) If you checked this box, type or print the reason you believe that the judgment creditor does not have a valid judgment against you.
- (B) If you checked this box, type or print the reason you believe exempt money is being garnished.
- (C) If you checked this box, type or print the reason you believe exempt personal property is being garnished.
- (D) If you checked this box, type or print the reason you believe Garnishee's Answer is incorrect.
- (E) If you checked this box, type or print the reason you want a hearing.
- (10) Complete the information under this box indicating the date and manner in which you will provide a copy of your Request for Hearing to the judgment creditor.
- (11) Complete the information under this box indicating the date and manner in which you will provide a copy of your Request for Hearing to the garnishee.
- (12) Complete the information under this box indicating the date and manner in which you will provide a copy of your Request for Hearing to the judicial officer assigned to your case.
- (13) The court may need to contact you regarding your hearing. Provide a phone number where you can be contacted between 8 a.m. and 5 p.m.
- (14) Date and sign the Request for Hearing form.

WHEN YOU HAVE COMPLETED THE REQUEST FOR HEARING:

- ✓ File this form with the Clerk's filing counter along with a Notice of Hearing on Garnishment (Non-Earnings) (FORM 9).
- ✓ At the same time, you must mail or deliver a copy of the Request for Hearing (FORM 8) to the judgment creditor and the garnishee.